

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 13

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MARGARET G. MACPHAIL

Appeal No. 2001-1937
Application No. 08/806,274

ON BRIEF

Before KRASS, DIXON and BARRY, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-22.

The invention is directed to the examination of a set of objects on a computer network, such as web pages, which are interrelated by links between the objects. A

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a relationship of the interrelated objects, the preferred embodiment being an indication of the main object set such as the home page of a web site.

Representative independent claim 1 is reproduced as follows:

1. A method of examining interrelated objects residing on one or more servers on a computer network, comprising the steps of:

creating a links object having information on retrieval links between the interrelated objects, wherein a given one of the retrieval links is embedded within one of the interrelated objects;

requesting one of the interrelated objects by a client workstation;
and

in response to said requesting of one of the interrelated objects, loading the links object on the client workstation.

The examiner relies on the following references:

Grout	5,913,033	Jun. 15, 1999
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Ferrans, et al. , "HyperWeb: A Framework for Hypermedia-Based Environments," ACM, 1992. (Ferrans)

Claims 1-22 stand rejected under 35 U.S.C. § 103 as unpatentable over Ferrans in view of Grout.

Reference is made to the briefs and answer for the respective positions of appellant and the examiner.

OPINION

It is the examiner's position that Ferrans discloses the claimed subject matter, including servers, requesting objects, links between interrelated objects, requesting interrelated objects and loading objects, but for an explicit teaching of "link objects" [answer, bottom of page 3]. However, the examiner turns to Grout for a teaching of a "links object," specifically pointing to columns 5-6, lines 1-68. It is the examiner's view that it would have been obvious "to use the system of Grout with the system of Ferrans because it allows for the ability to manage links between objects" [answer-page 4].

We will not sustain the instant rejection of claims 1-22 because it is clear from the examiner's statement of rejection and rationale therefor that the examiner has not established a prima facie case of obviousness.

The rationale for the combination, alone, i.e., "because it allows for the ability to manage links between objects," is insufficient to establish obviousness since the statement, itself, is a mere generality and does not explain why the skilled artisan would seek to "manage links between objects" or how the artisan would seek to combine the teachings of Ferrans and Grout in such a manner as to lead to the claimed subject matter.

one of the interrelated objects.” The examiner admits that this is not taught by Ferrans and relies on Grout for the teaching. But the examiner turns to Grout for a teaching of “link objects” which the examiner says is missing from Ferrans. In fact, the claims recite a “links object” which is different from “link objects.”

A “links object” is at the heart of appellant’s invention and is defined in the specification, and in the claims, as “having information on retrieval links between the interrelated objects, wherein a given one of the retrieval links is embedded within one of the interrelated objects.”

While the examiner argues that the term “links object” is “generic in scope” [answer-page 6], that the linked objects 163 in Grout’s Figure 2B meets appellant’s definition of “a collection of information pertaining to links among related files” [principal brief-page 7, lines 1-2] and that Grout’s “linked objects” inherently have information on retrieval links between interrelated objects, we agree with appellant that no such thing is taught or suggested by Grout.

We find that appellant’s “links object” has specific meaning, set forth in the instant specification and claims, and recited supra, and is not “generic in scope.” We also agree with appellant that “linked objects” as disclosed by Grout are merely objects

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Since the examiner's conclusion of obviousness of the instant claimed subject matter was bottomed on the erroneous hypothesis that "links object" have the same attributes as conventional "linked objects," no prima facie case of obviousness has been shown and we will not sustain the rejection of claims 1-22 under 35 U.S.C. § 103.

The examiner's decision is reversed.

REVERSED

ERROL A. KRASS
Administrative Patent Judge

Administrative Patent Judge

Administrative Patent Judge

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